

**REMARKS**

The above Amendments and these Remarks are in reply to the Office Action mailed August 9, 2005. Claims 1, 3-11, 13, 14, 17 and 19-33 were pending in the Application prior to the outstanding Office Action. Claims 1, 8, 11, 14, 17, 24, 30 and 31 are currently being amended. Claims 3, 10, 19, 26, 33 are being canceled (claims 2, 12, 15, 16 and 18 were previously canceled). New claims 34 and 35 are being added. Claims 1, 4-9, 11, 13, 14, 17, 20-25 and 27-35 remain for the Examiner's consideration, with claims 1, 8, 11, 14, 17, 24, 27, 29, 30 and 31 being independent. Reconsideration and withdrawal of the rejections are respectfully requested.

**I. CLAIM REJECTIONS UNDER 35 U.S.C. § 101**

Claims 1, 3-11, 13 and 14 were rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter.

While Applicants do not agree with this rejection, to expedite issuance of a patent, Applicants have amended the preamble of independent claims 1, 8, 11 and 14 to recite a "computer implemented method" as recommended by the Examiner.

In view of the above, Applicants respectfully request that the Examiner reconsider and withdraw the 101 rejection.

**II. CLAIM REJECTIONS UNDER 35 U.S.C. § 103**

Claims 1, 3-5, 8-10, 14, 17, 19-21, 24-26, and 29-33 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wydra (U.S. Patent No. 6,598,067), in view of Hsu et al. (U.S. Patent No. 5,581,691).

Claims 6, 7, 11, 13, 22, 23, 27 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wydra and Hsu, further in view of Austin et al. (U.S. Patent No. 5,781,711).

*a discussion of the claims begin on the next page*

### III. DISCUSSION OF CLAIMS

Claim 1, as amended, is reproduced below for the convenience of the Examiner.

#### A. Claim 1, 4-7 and 34

1. (As Amended) A computer implemented method for preparing a job for execution by a batch job execution system, comprising the steps of:

receiving a job from an external source, wherein the job includes a plurality of tasks;

selecting a program, subsequent to receiving the job, which includes a first part and a second part, which may be used in executing the job;

preparing a batch job by associating the selected program with the job; and,

transmitting the batch job toward the batch job execution system;

wherein the first part of the program includes a plurality of steps, wherein each step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job; and

wherein the second part of the program is for executing at least a portion of one of the tasks of the batch job; and, is further capable of generating additional steps to be executed by the batch job execution system in order to complete the task being executed, wherein each additional step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job.

Applicants have canceled dependent claim 3 and included its features (in a more defined manner) in independent claim 1. For at least the reasons set forth below, Applicants believe that claim 1, as now drafted, is patentable over Wydra and Hsu, alone or in combination.

*discussion continues on next page*

Applicants assert that Wydra and Hsu, alone or in combination, do not teach or suggest that the selected program includes a first part and a second part:

- *wherein the first part of the program includes a plurality of steps, wherein each step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job; and*
- *wherein the second part of the program is for executing at least a portion of one of the tasks of the batch job; and, is further capable of generating additional steps to be executed by the batch job execution system in order to complete the task being executed, wherein each additional step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job. (emphasis added)*

A discussion of the present invention's capability of "generating additional steps ... in order to complete the task being executed" is provided, e.g., in the following text of the present application, which begins on page 18, line 10 and ends on page 19, line 3.

The procedural part of the program can be written in any programming language and carries out the arbitrary logic of the tasks. For example, a task may be to convert a Word file to a PDF file. The actual logic in performing the task might include converting the Word file to a Postscript file, followed by converting the Postscript file to a PDF file. In an embodiment, the procedural part is performed using a service provider which is capable of performing the particular function needed to perform the task. The procedural part does not need to know about the scheduling contained in the declarative part but can augment the set of steps to be performed. The procedural part of any individual task can specify additional steps that must be completed after this procedural part completes before the task is considered to have completed.

For example, a procedural part that converts the contents of a zip file to HTML may decompress and expand the zip file into four other files and return four steps to convert each of these files to HTML. These new steps are reported back to the job management apparatus 104 and become the next set of steps to be completed.

With regards to Wydra, the Examiner has admitted that "Wydra does not specifically teach a job including a plurality of tasks." (See Office Action, page 4, lines 17-18). However, Hsu has been introduced to teach this deficiency of Wydra. (See Office Action, page 4, lines 19-22). To better distinguish claim 1 for Hsu, Applicants have added the features of canceled claim 3 into claim 1, and better defined the features of canceled claim 3.

Applicants assert the Hsu does not teach or suggest that "the second part of the program is for executing at least a portion of one of the tasks of the batch job; and, is **further capable of generating additional steps** to be executed by the batch job execution system in order to **complete the task being executed, wherein each additional step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job**", as required by claim 1.

Hsu appears to teach that a "work flow" can include a plurality of "steps", with a "step" being generally defined as a work unit that is generally worth saving should the overall flow stall mid-stream, and sufficiently short in duration to not tie up system resources for an extended period (see Hsu, column 5, lines 40-46). However, Hsu does not teach or suggest that a part of a program that is for executing at least a portion of a task can **generate additional steps** to be executed by the batch job execution system in order to complete the task being executed, wherein each additional step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job", as required by claim 1. Rather, each "flow" type of Hsu is predefined and stored in a flow table, as described at column 6, lines 47-60 of Hsu.

Hsu does mention, in its discussion of FIG. 4 (at column 5, lines 59 - column 6, line 9) that a "step" can include "sub-steps". However, the "sub-steps" of Hsu appear to be pre-defined for a step. In other words, the sub-steps of Hsu are not additional steps that are generated in order to complete a task. Also, each of the "sub-steps" of Hsu do not identify a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job, as is required by claim 1.

For completeness, Applicants will also explain why Wydra does not teach or suggest the above mentioned features of claim 1. As mentioned above, the Examiner admitted that Wydra does not teach a job including a plurality of tasks. Nevertheless, in the rejection of claim 3 (now canceled), it was stated that column 11, line 49 - column 12, line 5 of Wydra teaches the capability of "generating additional steps to be executed by the batch job execution system in order to complete the task being executed." (See the Office Action, the bottom of page 5 and the top of page 6). However, this portion of Wydra merely states that a connection controller 34 creates a process to accomplish a requested service, and that the process can be surrounded by a temporary shell 144. This has nothing to do with the claimed capability of creating additional steps.

For at least the reasons discussed above, Applicants respectfully request that the 103(a) rejection of claim 1 be reconsidered and withdrawn.

Applicants also believe that claims 4-7, which depend from claim 1, are patentable over Wydra for at least the reasons discussed above, as well as for the additional features that they add.

#### **B. Claims 8 and 9**

Independent claim 8, as amended, includes:

*"preparing a program which comprises the created steps, and the organization of steps for execution by the batch job execution system; and,*

*transmitting the batch job and the prepared program toward a second part of the batch job execution system;*

*wherein the prepared program is for, executing at least a portion of one of the tasks of the batch job; and, is further capable of generating additional steps to be executed by the batch job execution system in order to complete the task being executed, wherein each additional step identifies a service type which is offered by a service provider of the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job."*

For similar reasons to those discussed above with regards to claim 1, and its dependent claims, Applicants believe that claim 8, and its dependent claim 9, are patentable over Wydra and Hsu.

### C. Claims 11 and 13

The steps of claim 11, which are performed by the service provider, describe a method in which the service provider can utilize a remote platform to convert information.

Claim 11 requires that "the step of making a call to start a session [with a remote platform, in response to receiving a task of a batch job] further comprises **creating a unique address** which identifies the session; and the step of making a call to end the session [with the remote platform] **terminates the unique address.**" (emphasis added)

In the rejection of claim 11, it was alleged in the Office Action that Hsu teaches these features at column 16, line 65 - column 17, line 6 (See Office Action, page 18, lines 16-19). Applicants respectfully disagree. This portion of Hsu merely explains that most steps of a work flow include one input port and one output port, and that such steps can be designed relatively independently of the flow context. Applicants respectfully request that the Examiner reconsider and withdraw this rejection of claim 11, and its dependent claim 13. If the Examiner is to maintain this rejection, Applicants respectfully request that the Examiner explain in more detail how column 16, line 65 - column 17, line 6 of Hsu teach these particular features of claim 11.

### D. Claims 14-16

Claim 14 is directed to a method for preparing and executing a task of a batch job execution system, where the batch job execution system includes a job management apparatus and a plurality of service provides that can communicate with the job management apparatus.

As claimed, a first service provider, after receiving a task from the job management apparatus, **creates a plurality of steps which must be executed by a plurality of other service providers in order to complete the task.** The first service provider then transmits the plurality of steps toward the job management apparatus, so that the job management apparatus can distribute the plurality of steps to the plurality of other service providers that will execute the plurality of steps. After the plurality of service providers execute the plurality of steps (and send the results back to the job management apparatus), the first service provider receives the plurality of results from

the job management apparatus, and the first service provider prepares an output that includes the plurality of results.

In summary, claim 14 explains that when a first service provider receives a task from a job management apparatus, the first service provider creates a plurality of steps to be executed by other service providers, rather than completing the task on its own. The first service provider transmits these steps back to the job management apparatus, so that the job management apparatus can distribute the steps to other service providers that will execute the plurality of steps. The first service provider will then receive the results from the job management apparatus and will display the results.

In the Office Action, it was asserted that column 8, lines 8-16 of Hsu, and column 7, lines 50-64 of Wydra, teach that a first service provider, after receiving a task from the job management apparatus, **creates a plurality of steps which must be executed by a plurality of other service providers in order to complete the task.** (See Office Action, bottom of page 8 to top of page 9). Applicants respectfully disagree, as explained below.

Column 8, lines 8-16 of Hsu explains that a Step Type table includes one record for each individual step in each flow type. Such a record includes, a step type ID, and an application ID that identifies an application program used to execute the individual step. This has nothing to do with a "first service provider, [that] after receiving a task from the job management apparatus, creates a plurality of steps which must be executed by a plurality of other service providers in order to complete the task", as required by claim 1.

Column 7, lines 50-54 of Wydra describes a server function, that in response to a timer, initiates a schedule controller to determine which jobs are to be executed at the current time. The schedule controller instructs a connection controller to create an instance of a process at appropriate times. This has nothing to do with a "first service provider [that], after receiving a task from the job management apparatus, creates a plurality of steps which must be executed by a plurality of other service providers in order to complete the task", as required by claim 1.

Applicants respectfully request that the Examiner reconsider and withdraw this rejection of claim 14, and its dependent claim 15 and 16. If the Examiner is to maintain this rejection, Applicants respectfully request that the Examiner explain in more detail how column 8, lines 8-16 of Hsu, and column 7, lines 50-64 of Wydra, teach that a first

service provider, after receiving a task from the job management apparatus, creates a plurality of steps which must be executed by a plurality of other service providers in order to complete the task.

**E. Claims 17, 20-23 and 35**

Applicants believe that claim 17 as amended, and its dependent claims 20-23 and 35 are patentable over the applied references for reasons similar to those discussed above with reference to claim 1 and its dependent claims.

**F. Claims 24 and 25**

Applicants believe that claim 24 as amended, and its dependent claim 25, are patentable over Wydra for reasons similar to those discussed above with reference to claim 8 and its dependent claims.

**G. Claims 27-28**

Applicants believe that claim 27 as amended, and its dependent claims 28, are patentable over the applied references for reasons similar to those discussed above with reference to claim 11 and its dependent claims.

**H. Claim 29**

Applicants believe that claim 29 is patentable over applied reference for reasons similar to those discussed above with reference to claim 14.

**I. Claim 30**

Applicants believe that claim 30 as amended is patentable over the applied references for reasons similar to those discussed above with reference to claim 17.

**J. Claim 31**

Applicants believe that claim 31 as amended is patentable over applied references for reasons similar to those discussed above with reference to claim 8.



**IV. Conclusion**

In light of the above, it is respectfully requested that all outstanding rejections and objections be reconsidered and withdrawn. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

No fee is believed due in connection with this paper. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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By: Jeffrey R. Kurin  
Jeffrey R. Kurin  
Reg. No. 41,132

Fliesler Meyer LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: 415/362-3800  
Facsimile: 415/362-2928  
Customer No. 23910